

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**Expedited handling
Response after final rejection**

ELMORE

Atty. Ref.: 1498-133

Serial No. 08/981,087

Group: 1647

Filed: May 27, 1998

Examiner: Turner, S.

For: TYPE F BOTULINUM TOXIN AND USE THEREOF

* * * * *

October 5, 2001

Assistant Commissioner for Patents
Washington, DC 20231

BOX AF

Sir:

SECOND AMENDMENT UNDER RULE 116

Responsive to the Official Action dated June 5, 2001, and the PETITION
DECISION dated August 10, 2001, and in place of the Amendment Under Rule 116 filed
September 5, 2001, entry and consideration of the following amendments and remarks
are requested; the period for response having been extended up to and including
October 5, 2001, by submission of the requisite extension petition and fee.

IN THE CLAIMS

Amend the claims as follows.

Cancel claims 3, 4, 20, 22, 23, 24 and 27 without prejudice.

Amend the claims as follows:

10/09/2001 CNGUYEN 00000016 08981087

01 FC:115

110.00 OP

Adjustment date: 08/05/2002
10/09/2001 CNGUYEN 00000016 08981087
01 FC:115 -110.00 OP

24/G
M.G.J
10/10/01
(NE)